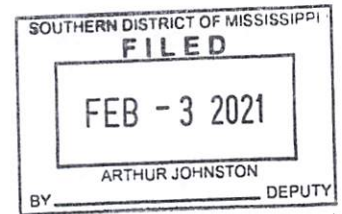


UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

Division



Case No.

3:21-cv 88-KHJ-MTP
 (to be filled in by the Clerk's Office)

Corvis Lamar Johnson # 109384

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-
Lt. McElroy, Mares Sanders, officer SMileh

Capt. William, officer Dial Mile,

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

NOTICE

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

I. The Parties to This Complaint**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Carvis Johnson
 All other names by which
 you have been known: none
 ID Number 109384
 Current Institution C.M.C.F.
 Address P.O. Box 88550
Pearl MS 39288-8550
City State Zip Code

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title (*if known*) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name Capt. Williams, officer Dial mile
 Job or Title (*if known*) Capt. over the prison, Co. officer at the prison
 Shield Number _____
 Employer Capt., C.O. officer C.M.C.F.
 Address P.O. Box 88550
pearl MS 39288-8550
City State Zip Code
☐ Individual capacity ☒ Official capacity

Defendant No. 2

Name Lt. Meelroy, Nurse Sanders officer SMiley
 Job or Title (*if known*) Lt. over bldg, Nurse RN. C.O. officer at prison
 Shield Number _____
 Employer Lt. RN nurse, a C.O. officer
 Address P.O. Box 88550
pearl MS 39288-8550
City State Zip Code
☐ Individual capacity ☒ Official capacity

Defendant No. 3

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

Defendant No. 4

Name _____

Job or Title (if known) _____

Shield Number _____

Employer _____

Address _____

City _____

State _____

Zip Code _____

☐

Individual capacity

☐

Official capacity

II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (check all that apply):

☐Federal officials (a *Bivens* claim)☒

State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

My Constitutional right have ^{been} violated by state officials

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

no

Carvis Lamar Johnson
C.M.C.F.
P.O. Box 88550
Pearl, MS 39288-8550

Claim # 1) 1-28-21 Carvis Lamar Johnson # 109384

on the above day 1-10-21 at 7:30am I Carvis Lamar Johnson # 109384
I was at My trayhold door when the officer open My trayhold door
to feed me I ask the officer officer Dial mile to ask the Capt.
is she still gone Move me he got mad in he try to brake My arm in the
tray hold door 2 time hard it on Camera K-zone Cell 220 Sec. 6 at C.M.C.F.
I ask them officers is they gone take me to Medical My arm is
in real bad pain they aint take me to Medical so the Capt
Woman Come to My door Capt Williams She Denial My
Medical Attention Cuz she know the camera seen everything
She Broke My 8 Amendment Denial of Medical Attention its
on Camera plus she had me lockdown for nothing a
longtime Cruel and unusal punishment Cuz she know
she broke My Constitution rights in My 14th Amendment
no one should have a Cruel and unusal punishment
inflicted up on them End of the Report
My Relief \$ 50,000 dollars
for pain in suffer

Claim # 1)

Case: 3:20-cv-00501-KHJ-LRA

Carvis Lamar Johnson
C.M.C.F.
P.O. Box 88550
Pearl, MS 39288-8550

Claim #2)

1-28-21

Carvis Johnson #109384

on the 12-5-20 at 2 some PM I walk of B-zone B-Bldg QB
I told officer Sgt. Smiley I aint want to be on that zone
Cuz its a lots of fighting going on on that zone plus the officers
getting inmates beat up on that zone so L.T. Meelroy in Sgt
Smiley Move me down the Hallway to C-zone I told them I
dont want to be in that Bldg so Sgt Smiley nurse Sanders
in the Man officer dont know his name in the tower talking to
nurse Sanders in the Man officer in the tower talking to
the inmates nurse Sanders tell the inmate I pay you in
drugs to be him up so the inmates tell me off get off
the zone in they start beating up on me its on camera they
stop in went back to the tower I ask the tower in the nurse to
Move me off the zone yall told them inmates to beat up in yall aint
do nothing about it they aint do nothing nurse Sanders tell them
inmates something the start back beating me up agin Sgt Smiley tell
the beat his ass again I got some for yall so the tower officer
open the door I come out in the Hallway they Move me to
Sec 26 cell 226 it on camera B-Bldg C-zone a 2 some or 3 some
PM the aint take me to Medical they Denial My Medical Attention
My 8th Amendment its all on camera
Claim #2) My Relief \$80,000 dollars for pain insuffering back page

- D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

I'm suing the officers they all black in they had inmates to beat on me to they put a hit on my head its on camera it aint under no color thing they all black I'm doing it under the 1983

III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows (check all that apply):

- ☐ Pretrial detainee
- ☐ Civilly committed detainee
- ☐ Immigration detainee
- ☒ Convicted and sentenced state prisoner
- ☐ Convicted and sentenced federal prisoner
- ☐ Other (explain) _____

IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

- A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

no it arose inside the institution

- B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

at C.M.C.F B-Bldg C-zone on 12-5-20 at 2:03 PM
Rankin County Prison in Pearl, MS

C. What date and approximate time did the events giving rise to your claim(s) occur?

Dec 5, 2020 at 2 or 3 some PM

D. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

the Camera is My facts in witness the camera saw everything
Quick Bed B-Bldg C-zone no ~~one~~ one else was not involved

V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

They had My face in a lots of pain My head had nots on it
My Eye was cut in they aint give me no Medical treatment
they aint give me no Medical body sheet they brok my 8th
Amendment the Medical ^{staff} will tell they aint give me no Medical
treatment real facts

VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

on Claim #1 Relief suing for Money damages for My Medical
pain in suffering
\$50,000 dollars
on Claim #2 Relief \$80,000 dollar
suing for Money damages for My Medical
pain in suffering

VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

☒ Yes

☐ No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

I was at C.M.C.F. Prison Rankin County Prison in Pearl, Ms

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

☐ Yes

☒ No Cuz I ask for one but I did My A.R.P. on it

☐ Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

☐ Yes

☒ No

☐ Do not know

If yes, which claim(s)?

- D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☐ Yes

☒ No Cuz they wont give me no grievance but I did a A.R.P.

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☒ No I only at this where it happen at C.M.C.F.

- E. If you did file a grievance:

1. Where did you file the grievance? they dont give you grievance you have to do a A.R.P.

2. What did you claim in your grievance? I aint get no grievance they dont give you none at this prison

3. What was the result, if any? none they dont give you none here

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. (Describe all efforts to appeal to the highest level of the grievance process.)

I got to wait on My 2 step on the A.R.P. I did on this

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

they dont give you grievance here a C.M.C.F but I
file My A.R.P.

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

I inform the legal Assistance
Program Assistance woman

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

I just did what suppose to do by filing My paper work

(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)

VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.

- A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☒ Yes

☐ No

- B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit Jordan McQueary, Johnathan Franklin, Sgt Kristi Barber, perk winston, Michael Rayborn, Johnathan Biggers
 Plaintiff(s) Carlis Johnson #109384
 Defendant(s) Jordan McQueary

2. Court (if federal court, name the district; if state court, name the county and State) Northern Division
United States District Court Southern District of Mississippi

3. Docket or index number (58)(264)

4. Name of Judge assigned to your case

Cause no 3:20cv9-KHJ-FKB

5. Approximate date of filing lawsuit

1-8-20

6. Is the case still pending?

☒ Yes

☐ No

If no, give the approximate date of disposition.

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

this case is still pending

- C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?

Pro Se 14 (Rev. 12/16) Complaint for Violation of Civil Rights (Prisoner)

☒ Yes☐ No

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. (If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)

1. Parties to the previous lawsuit Wt Daniel Barnett, Croker Michael Jason Moore
 Plaintiff(s) Carus Johnson #109384
 Defendant(s) _____

2. Court (if federal court, name the district; if state court, name the county and State)
United States District Court for the
Southern District of Mississippi

3. Docket or index number

3:20-cv-501-KHJ-LRA

4. Name of Judge assigned to your case

KHJ-LRA

5. Approximate date of filing lawsuit

8-6-20

6. Is the case still pending?

☒ Yes☐ No

If no, give the approximate date of disposition _____

7. What was the result of the case? (For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)

it is still pending right now

IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case. *yes*

Date of signing: *yes* *Carlis Johnson* *1-28-21*

Signature of Plaintiff

Carlis Johnson

Printed Name of Plaintiff

Carlis Johnson

Prison Identification #

109384

Prison Address

P.O. Box 88550

Pearl

City

MS

State

39288-8550

Zip Code

B. For Attorneys

none

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Address

City

State

Zip Code

Telephone Number

E-mail Address